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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,764	10/23/2003	Todd R. Manion	30835/306342	6714
45373 7590 07/30/2007 MARSHALL, GERSTEIN & BORUN LLP (MICROSOFT) 233 SOUTH WACKER DRIVE 6300 SEARS TOWER CHICAGO, IL 60606			EXAMINER HAMZA, FARUK	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 07/30/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/691,764	Applicant(s) TODD MANION	
	Examiner Faruk Hamza	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/19/06, 6/1/05, 1/2/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to the application filed on October 23, 2003.

Claims 1-41 are pending.

#### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-41 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. *Claimed invention is not directed to a practical application. The claims do not require any physical transformation and the invention as claimed do not produce a useful, concrete and tangible result.*
3. Claims 1-41 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. *The claims are directed merely to an abstract idea. The claims have not been clearly tied to a technological art, environment or machine, which would result in a practical application producing a useful, concrete and tangible result.*
4. Claims 1-31 are rejected under 35 U.S.C. 101 because it is directed to a software. Software alone is not tangible and does not belong to one of the statutory category. See MPEP 2106.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. The specification is objected to under 35 U.S.C. 112, first paragraph, as failing to adequately teach how to make an/or use the invention. The specification is enabling for a portion of the subject matter claimed but the enablement is not commensurate in scope with the claim. Specifically, the specification fails to show how the single step of "managed class..." of the claim can perform the claimed functions. Thus, it would require undue experimentation for a person having ordinary skill in the pertinent art to make and use the invention as disclosed and claimed.

Claims 1-31 are rejected under 35 U.S.C. 112 first paragraph, for the reasons set forth in the objection to the specification. See In re Hyatt 218 USPQ 195 (CAFC 1983).

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject

matter which applicant regards as the invention. Claim language is very unclear and indefinite to understand the claimed subject matter.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Pabla et al. (U.S. Pub. No. 2004/0064693) hereinafter referred as Pabla.

Pabla teaches the invention as claimed including mechanism for indexing and searching for identity information in peer-to-peer networks. The identity information may be used, for example, to authenticate users (see abstract).

As to claim 1, Pabla teaches a Cloud managed class, comprising a scope field, a ScopeID field, a state field, a CloudName field, and an IsCloudNameLocal field (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 2, Pabla teaches the Cloud managed class of claim 1, wherein the state field contains a CloudState enumeration selected from the group consisting of uninitialized, synchronizing, active, invalid, disabled, stand alone, and connection lost (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 3, Pabla teaches the Cloud managed class of claim 1, further comprising at least one method exposed thereby selected from the group consisting of an equals method, a GetHashCode method, a GetType method, a ReferenceEquals method, and a ToString method (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 4, Pabla teaches a CloudWatcher managed class, comprising a CloudWatcher constructor to instantiate a CloudWatcher object (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 5, Pabla teaches the CloudWatcher managed class of claim 4, further comprising a CloudChanged event raised when a cloud has changed in scope (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 6, Pabla teaches the CloudWatcher managed class of claim 5, wherein the CloudChanged even is raised when a cloud has been created, deleted, and updated (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 7, Pabla teaches the CloudWatcher managed class of claim 4, further comprising a GetGlobalCloud static method that returns a global cloud (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 8, Pabla teaches the CloudWatcher managed class of claim 4, further comprising a Get Clouds static method that utilizes a specified scope parameter to retrieve clouds having the specified scope (Paragraphs

[0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 9, Pabla teaches the CloudWatcher managed class of claim 4, further comprising a Get Clouds static method that retrieves all clouds (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 10, Pabla teaches a PnrpEndPoint managed class, comprising a PeerName field and an IPEndPoint field (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 11, Pabla teaches the PnrpEndPoint managed class of claim 10, further comprising a first PnrpEndPoint constructor that creates a peer name that can be used for registration in a cloud (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 12, Pabla teaches the PnrpEndPoint managed class of claim 10, further comprising a second PnrpEndPoint constructor that utilizes a PeerName parameter, an IPEndPoint, and a cloud parameter to create a peer name that can be used for registration in a cloud (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).



As to claim 13, Pabla teaches the PnrpEndPoint managed class of claim 10, further comprising at least one method exposed thereby selected from the group consisting of an equals method, a GetHashCode method, a GetType method, a ReferenceEquals method, and a ToString method (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 14, Pabla teaches a PnrpEndPointRegistration managed class, comprising a PeerName field, an Identity field, a RegistrationState field, a cloud field, and a SynchronizingObject field (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 15, Pabla teaches The PnrpEndPointRegistration managed class of claim 14, further comprising a first PnrpEndPointRegistration constructor that constructs a PnrpEndPointRegistration object (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 16, Pabla teaches the PnrpEndPointRegistration managed class of claim 14, further comprising a second PnrpEndPointRegistration constructor that utilizes a PnrpEndPoint parameter to construct a PnrpEndPointRegistration object (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 17, Pabla teaches the PnrpEndPointRegistration managed class of claim 14, further comprising a third PnrpEndPointRegistration constructor that utilizes a PnrpEndPoint parameter and an Identity parameter to construct a PnrpEndPointRegistration object.

As to claim 18, Pabla teaches the PnrpEndPointRegistration managed class of claim 14, further comprising a fourth PnrpEndPointRegistration constructor that utilizes a PnrpEndPoint parameter, an Identity parameter, and a TimeSpan parameter to construct a PnrpEndPointRegistration object (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 19, Pabla teaches the PnrpEndPointRegistration managed class of claim 14, further comprising at least one method exposed thereby selected from the group consisting of a register method, an unregister method, an equals method, a GetHashCode method, a GetType method, a ReferenceEquals method, and a ToString method (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 20, Pabla teaches the PnrpEndPointRegistration managed class of claim 14, further comprising a RegistrationChanged event raised when a PnrpEndPointRegistration object changes state (Paragraphs

[0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 21, Pabla teaches the PnrpEndPointRegistration managed class of claim 20, wherein the RegistrationChanged event is raised when a PnrpEndPointRegistration is unregistered, registered, and failed (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 22, Pabla teaches a PnrpEndPointResolver managed class, comprising a PeerName field, a Cloud field, a MaxResults field, a ResolveCriteria field, a TimeSpan field, and a SynchronizingObject field (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 23, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a first PnrpEndPointResolver constructor for constructing a PnrpEndPointResolver object for name resolution (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 24, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a second PnrpEndPointResolver constructor utilizing a PeerName parameter to construct a PnrpEndPointResolver object for name resolution (Paragraphs [0015],[0070],[0085],[0087],[0098-

0099],[0323],[0332-0333],[0469-0471],[0617])).

As to claim 25, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a third PnrpEndPointResolver constructor utilizing a PeerName parameter, a Cloud parameter, a MaxResults parameter, a TimeSpan parameter, and at least one ResolveCriteriaFlags parameter to construct a PnrpEndPointResolver object for name resolution (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617])).

As to claim 26, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising at least one method exposed thereby selected from the group consisting of a BeginResolution method, an EndResolution method, a resolve method, an equals method, a GetHashCode method, a GetType method, a ReferenceEquals method, and a ToString method (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617])).

As to claim 27, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a PeerNameFound event that is raised when a PnrpEndPoint is found (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617])).

As to claim 28, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a ResolutionCompleted event that is raised when a when a maximum number of results is reached, when no PnrpEndPoint is found, and when a EndResolution method is called (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 29, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a first Resolve static method that utilizes a PeerName parameter to return a PnrpEndPoint (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 30, Pabla teaches the PnrpEndPointResolver managed class of claim 29, wherein the first Resolve static method resolves one remote name synchronously (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 31, Pabla teaches the PnrpEndPointResolver managed class of claim 22, further comprising a second Resolve static method that utilizes a PeerName parameter and a Cloud parameter to return a PnrpEndPoint (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 32, Pabla teaches a method of monitoring by an application a Cloud in a managed framework, the method comprising the steps of: communicating with a managed CloudWatcher object, the managed CloudWatcher object exposing a constructor for instantiating a CloudWatcher object; initiating the constructor (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 33, Pabla teaches the method of claim 32, wherein the managed CloudWatcher object further exposes static methods for returning a global cloud, for returning a first list of clouds associated with a scope parameter, and for returning a second list of all clouds, the method further comprising the steps of selecting one of the static methods, passing to the managed CloudWatcher object parameters required by the static method, and initiating the static method (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 34, Pabla teaches the method of claim 32, wherein the managed CloudWatcher object raises a CloudChanged event when a cloud has been created, deleted, and updated (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 35, Pabla teaches a method of managing by an application a PnrpEndPoint in a managed framework, the method comprising the steps of: communicating with a managed PnrpEndPoint object, the managed PnrpEndPoint object exposing at least one constructor for creating a peer name that can be used for registration in a cloud, for creating a peer name that can be used for registration in the cloud from a PeerName parameter, an IPEndPoint parameter, and a cloud parameter; selecting one of the constructors;

passing to the managed PnrpEndPoint object parameters required by the constructor selected; and initiating the constructor (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 36, Pabla teaches a method of managing by an application a PnrpEndPoint in a managed framework, the method comprising the steps of:

communicating with a managed PnrpEndPointRegistration object, the managed PnrpEndPointRegistration object exposing at least one constructor for creating a PnrpEndPointRegistration object, for creating a PnrpEndPointRegistration object utilizing a PnrpEndPoint parameter, for creating a PnrpEndPointRegistration object utilizing a PnrpEndPoint parameter and an Identity parameter, and for creating a PnrpEndPointRegistration object utilizing a PnrpEndPoint parameter, an Identity parameter, and a TimeSpan parameter; selecting one of the constructors; passing to the managed

PnrpEndPointRegistration object parameters required by the constructor selected; and

initiating the constructor (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 37, Pabla teaches the method of claim 36, wherein the PnrpEndPointRegistration object raises a RegistrationChanged event when a PnrpEndPointRegistration object changes state (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 38, Pabla teaches a method of resolving by an application a PnrpEndPoint in a managed framework, the method comprising the steps of:

communicating with a managed PnrpEndPointResolver object, the managed PnrpEndPointResolver object exposing at least one constructor for constructing a PnrpEndPointResolver object for name resolution, for constructing a PnrpEndPointResolver object utilizing a PeerName parameter, for constructing a PnrpEndPointResolver object utilizing a PeerName parameter, a Cloud parameter, a MaxResults parameter, a TimeSpan parameter, and at least one ResolveCriteriaFlags parameter; selecting one of the constructors;

passing to the managed PnrpEndPointRegistration object parameters required by the constructor selected; and initiating the constructor (Paragraphs



[0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 39, Pabla teaches the method of claim 38, wherein the PnrpEndPointResolver object raises a PeerNameFound event when a PnrpEndPoint is found (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 40, Pabla teaches the method of claim 38, wherein the PnrpEndPointResolver object raises a ResolutionCompleted event when a maximum number of results is reached, when no PnrpEndPoint is found, and when an EndResolution method is called (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

As to claim 41, Pabla teaches the method of claim 38, wherein the PnrpEndPointResolver object further comprises a plurality of static methods to return a PnrpEndPoint based on a PeerName parameter, and to return a PnrpEndPoint based on a PeerName parameter and a Cloud parameter, the method further comprising the steps of selecting one of the static methods, passing to the managed PnrpEndPointRegistration object parameters required by the static method selected, and initiating the static method (Paragraphs [0015],[0070],[0085],[0087],[0098-0099],[0323],[0332-0333],[0469-0471],[0617]).

8. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

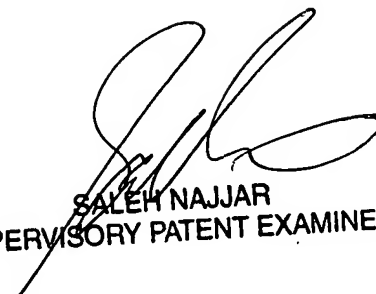
Art Unit: 2155

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155



SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER